

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

LEON EDWARD PUGH, JR.)	
)	
Plaintiff,)	
)	
v.)	Case No. CV413-219
)	
WILLIAM BALISH, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

While in and out of prison Leon Edward Pugh, Jr. has filed a series of lawsuits, each time seeking *in forma pauperis* (IFP) status to assist with payment of his filing fees . *See, e.g., Pugh v. Page*, CV413-332, doc. 1 (M.D. Ga. Jul. 10, 2013); *Pugh v. Humphrey*, CV411-011, doc. 1 (M.D. Ga. Feb 2, 2011); *Pugh v. Walker*, CV303-016, doc. 1 (S.D. Ga. Mar. 25, 2013); *see also* attached Georgia Department of Corrections record showing that he is convicted felon now on parole.

He seeks the same IFP status in the instant case against seemingly everyone who had anything to do with a restaurant job that he lost. CV413-219, docs. 1 & 2. In his IFP motion he claims high debt, only \$54/week take-home pay, and no other assets. Doc. 2 at 1-2. He also

alludes to an eviction proceeding against him from "Stillwater Apartments." *Id.* at 2. Yet, he is able to generate a word-processed filing, doc. 1, which suggests he has access to a computer and printer.

The Court will grant leave to proceed IFP if the plaintiff demonstrates that he cannot, because of his poverty, afford to pay the costs of litigation and still provide for himself and any dependents. 28 U.S.C. § 1915. While a plaintiff need not be absolutely destitute in order to proceed in forma pauperis, *Adkins v. E.I. Dupont de Nemours*, 335 U.S. 331, 339 (1948), the fact that financing his own litigation may cause some difficulty is not sufficient to relieve a plaintiff of his obligation to pay his own way where it is possible for him to do so without undue hardship.

It is simply hard to believe that Pugh exists on \$54 per week. Wary of such claims, the Court in the past has demanded additional information from dubious IFP movants. *See, e.g., Robbins v. Universal Music Group*, CV412-292, 2013 WL 1146865 at * 1 (S.D. Ga. Mar. 19, 2013). It will do likewise here. Therefore, within 14 days from the date of this Order, Pugh shall disclose to the Court the following information:

- (1) What he spends each month for basic living expenses such as food, clothing, shelter, and utilities, and the dollar value of any public or private assistance he may receive;
- (2) Where he gets the money to pay for those expenses (include *all* "off-the-books" income, whether in cash or in-kind);
- (3) Whether he owns an automobile or other means of transportation and, if he does not, whether he has regular access to same, as owned by another (including a rental company);
- (4) Whether he possesses a cellular telephone, TV set, and any home electronics equipment;
- (5) Whether he has any credit or debit cards;
- (6) Whether he is the account owner, or has signature power, as to any accounts with a bank or other financial institution.
- (7) Whether he anticipates any (within the next year) future income.

Finally, Pugh must again declare the facts he pleads to be true under penalty of perjury.¹ If he does not use a preprinted IFP form to respond (hence, if he uses a blank sheet of paper), he must insert this above his signature: "I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date)." 28 U.S.C. § 1746(1).

¹ He has done so on his IFP motion. Doc. 2 at 2.

SO ORDERED this 28th day of October, 2013.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

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PUGH, LEON EDWARD JR

GDC ID: 0000873592



PHYSICAL DESCRIPTION

YOB: 1974
RACE: BLACK
GENDER: MALE
HEIGHT: 5'07"
WEIGHT: 170
EYE COLOR: BROWN
HAIR COLOR: BLACK

SCARS, MARKS, TATTOOS

INCARCERATION DETAILS

MAJOR OFFENSE: BURGLARY
MOST RECENT INSTITUTION: SAVANNAH MENS TRANS-CTR
MAX POSSIBLE RELEASE DATE: 09/04/2015 [Important Release Information](#)
For parole information please go to [Georgia State Board of Pardons and Paroles website](#).

ACTUAL RELEASE DATE: 10/26/2005
CURRENT STATUS: PAROLE

KNOWN ALIASES

A.K.A. PUGH,LEON
A.K.A. PUGH,LEON E
A.K.A. PUGH,LEON EDWARD

STATE OF GEORGIA - CURRENT SENTENCES

CASE NO: 358104
OFFENSE: BURG BEF 7/1/12
CONVICTION COUNTY: PIERCE COUNTY
CRIME COMMIT DATE: 09/05/1995
SENTENCE LENGTH: 20 YEARS, 0 MONTHS, 0 DAYS
CASE NO: 358104
OFFENSE: BURG BEF 7/1/12
CONVICTION COUNTY: PIERCE COUNTY
CRIME COMMIT DATE: 09/05/1995
SENTENCE LENGTH: 20 YEARS, 0 MONTHS, 0 DAYS

STATE OF GEORGIA - PRIOR SENTENCES

STATE OF GEORGIA - INCARCERATION HISTORY

INCARCERATION BEGIN **INCARCERATION END**
04/11/1996 10/26/2005

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